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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,472	10/17/2003	Alan B. Mead	1005.1009	3003
31814	7590	11/15/2007		
SCOTT T. GRIGGS 901 MAIN STREET SUITE 6300 DALLAS, TX 75202			EXAMINER TO, TUAN C	
			ART UNIT 3663	PAPER NUMBER
			MAIL DATE 11/15/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/688,472

Applicant(s)

MEAD ET AL.

Examiner

Tuan C. To

Art Unit

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 11-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, and 11-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6, and 11-16 are rejected under 35 U.S.C. 112 (second paragraph) as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 1, 2, and 14, these claims include the term "about" that renders the claims indefinite since it was not clear what range of specific activity is covered by "about".

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2-6, and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowlds (US 6462702B1), and in view of Greneker, III et al. (US 5917430A).

With respect to claims 2-6, Bowlds discloses a system/method of warning the law enforcement officers about the potential collision of the moving target (vehicle) traveling in the same direction with the patrol vehicle (Bowlds, column 3, lines 1-8) via a radar system. Said system/method comprises a Doppler based radar system (10) for use in monitoring the speed of moving target vehicle as well as determining whether determine the direction of the patrol vehicle. Bowlds further teaches: "determining the pattern of speed variation of the primary vehicle during a predetermined time interval" (Bowlds, column 6, lines 45-53), Bowlds inherently discloses "determining the state of the transmission of the primary vehicle during said predetermined time interval" since the police vehicle in

Bowlds inherently provides a system for determining the state of the transmission.

Bowlds does not disclose the following: "generating an alert to the operator of the primary vehicle when (1) the said pattern correspond to a predetermined pattern indicative of a particular driving maneuver, (2) the said one or more parameters of the state of movement of the closing vehicle are at a predetermined status; and/or (3) another condition exists", "predetermined status of one or more parameters of the state of movement of the closing vehicle includes exceeding a maximum closing vehicle speed".

The radar based highway safety warning system as taught in Greneker et al. generating a alert to the operator of the a police vehicle when there is indicative of a particular driving maneuver, when one or more parameters of the movement of the vehicle ahead is closed to the police vehicle, and when there is a particular driving situation (column 4, lines 60-67; column 5, lines 8-17). Greneker et al. do not specific teach a particular maneuver such as a U-turn, but the radar system as taught in Greneker et al. is implement to generate an alert to an operator when a dangerous situation is going to occur. Thus Greneker et al. inherently discloses that alert is generated in the situation the driving status of the primary vehicle is in danger situation.

Nakamura et al. discloses a vehicle system and method including warning the operator of a host vehicle when the status of moving of a target vehicle is approaching closely to the target vehicle (abstract).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Bowlds to include the teachings of Greneker, III et al. and Nakamura et al. so that an authorized agent who is on a duty can quickly reach a target vehicle or place while the safety is still maintained during different driving situations.

With regard to claim 11, Bowlds discloses that the primary vehicle is a highway patrol vehicle (Bowlds, column 3, lines 1-8).

With regard to claim 12, Bowlds discloses that "determining the pattern of speed variations of the primary vehicle during a predetermined time interval is performed by a police radar unit" (Bowlds, column 5, lines 40-43, Doppler radar system 10).

With regard to claim 13, Bowlds further disclose that the radar system includes an oscillator for generating a signal and an antenna that transmits the signal to a target vehicle traveling in the same direction with the patrol vehicle (Bowlds, abstract).

With regard to claim 14, Bowlds teaches that the parameter about the state of the movement of the closing vehicle, which is the speed of the target vehicle, is detected by the Doppler radar system onboard the patrol vehicle.

With regard to claims 15 and 16, Greneker, III et al teaches that the alert is generated to the police officer via an interface (figure 1).

***Allowable Subject Matter***

The indicated allowability of claims 1, and 10 is withdrawn because the examiner has found the term "about" recited in claim 1 does not satisfy 112(2),

and the reference to Greneker et al. discloses the limitation of claim 10. Any inconvenient to applicant is regretted.

Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claim 1 is allowable since none of the prior art teaches determining the presence of a U-turn pursuit maneuver by monitoring the primary vehicle for a relatively sudden slowing of primary vehicle velocity from a first velocity to a second velocity followed by a subsequent velocity increase from the second velocity to a third velocity, wherein the third velocity is greater than or equal to the first velocity and the first velocity is greater than the second velocity.

### ***Conclusions***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

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direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner,

A handwritten signature in black ink, appearing to read 'Tuan C To', is written over a horizontal line.

Tuan C To

November 12, 2007